



Security Council

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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND ONE HUNDRED AND FOURTEENTH MEETING

Held at Headquarters, New York,
on Monday, 14 September 1992, at 8.20 p.m.

President: Mr. AYALA LASSO

(Ecuador)

Members: Austria

Belgium

Cape Verde

China

France

Hungary

India

Japan

Morocco

Russian Federation

United Kingdom of Great Britain and

Northern Ireland

United States of America

Venezuela

Zimbabwe

Mr. HAJNOCZI

Mr. NOTERDAEME

Mr. JESUS

Mr. LI Daoyu

Mr. MERIMEE

Mr. ERDOS

Mr. GHAREKHAN

Mr. SEZAKI

Mr. BENJELLOUN-TOUIMI

Mr. VORONTSOV

Sir David HANNAY

Mr. PERKINS

Mr. ARRIA

Mr. MUMBENGEGWI

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The meeting was called to order at 8.20 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN BOSNIA AND HERZEGOVINA
(S/24540)

The PRESIDENT (interpretation from Spanish): I should like to inform the Council that I have received a letter from the representative of Bosnia and Herzegovina, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a place at the Council table.

The PRESIDENT (interpretation from Spanish): The Security Council will now begin its consideration of the item on the agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation in Bosnia and Herzegovina, contained in document S/24540. Members also have before them document S/24554, which contains the text of a draft resolution submitted by the delegations of Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

(The President)

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall take it that that is the case.

There being no objection, it is so decided.

Before putting the draft resolution at the vote, I shall call on those members of the Council who wish to make statements before the voting.

Mr. MUMBENGEGWI (Zimbabwe): It gives my delegation great pleasure, Sir, to see you presiding over the affairs of the Council for the month of September. We congratulate you on your assumption of the presidency and wish you all success during the remaining half of the month.

I would also like to take this opportunity to congratulate Ambassador Li Daoyu on his very skilful and effective stewardship of the affairs of the Council during the month of August.

My delegation welcomes and supports the Secretary-General's report (S/24540), which represents a departure from resolution 770 (1992), which Zimbabwe was unable to support. In its paragraph 2, resolution 770 (1992) called upon States to take nationally or through regional agencies or arrangements all measures necessary to facilitate the delivery of humanitarian assistance to all parts of Bosnia and Herzegovina, outside the control of, and without being accountable to, the United Nations. It was precisely in objection to that invitation that my delegation abstained in the vote on that resolution.

(Mr. Mumbengegwi, Zimbabwe)

In stating our position on that occasion, my delegation pointed out that any necessary measures taken, or arrangements made, to deal with the grave crisis in question had to be undertaken as a collective measure under the full control of, and with full accountability to, the United Nations. We abstained on resolution 770 (1992) precisely because paragraph 2 gave legitimacy to and made it possible for any State wishing to intervene in the affairs of Bosnia and Herzegovina on the pretext of protecting the delivery of humanitarian assistance.

It was our considered view then, as it is now, that such general and uncontrolled authorization would aggravate an already grave and volatile situation in Bosnia and Herzegovina.

It is therefore unfortunate that the present enlargement of the United Nations Protection Force (UNPROFOR) is being made in implementation of paragraph 2 of resolution 770 (1992), which raises the very same problems my delegation faced at the time that resolution was dealt with by the Council.

We are more than happy to support the recommendations of the Secretary-General; they represent a wise and thoughtful escape-route from the provisions of resolution 770 (1992). The Council should therefore have produced a draft resolution which was concise and with the sole objective of giving effect to the report of the Secretary-General.

We therefore find the insertion of the controversial provision of resolution 770 (1992) into the draft resolution before us truly regrettable. It is on the basis of those considerations that my delegation will not be able to support the draft resolution before us.

Mr. GHAREKHAN (India): Mr. President, let me say first of all how delighted my delegation and I are to have this opportunity once again to work under your leadership. We look forward to the remainder of this month with great anticipation, and we pledge you our full cooperation.

I also want to thank your predecessor in office, Ambassador Li Daoyu of China, for the manner in which he conducted the proceedings of the Security Council last month.

My delegation remains deeply disturbed at the very tragic and grave situation in Bosnia and Herzegovina. We are following the events in that unfortunate land with great attention and with great concern.

(Mr. Gharekhan, India)

The London conference, which was presided over jointly by our Secretary-General and the Prime Minister of the United Kingdom, has raised the hopes of all of us, and certainly of us in India. We do expect that even the mild sense of optimism created by the London conference will lead to some more concrete and positive results in the days to come. We take some satisfaction in the fact that the London process is continuing in Geneva under the co-chairmanship of Mr. Cyrus Vance and Lord David Owen.

In the meantime, my delegation recognizes that the humanitarian situation in Bosnia and Herzegovina continues to demand urgent and effective action by the international community, particularly by the Security Council. It is in that spirit that my delegation has always been willing to support all appropriate action by the Security Council. My delegation very much welcomed the report of the Secretary-General in document S/24540. My delegation has absolutely no hesitation in supporting the report of the Secretary-General and all the recommendations made by him in that report.

It is therefore with a deep sense of regret and, I might say, even some sense of anger with the sponsors of the draft resolution that they have not made it possible for my delegation to support the draft resolution in its present form. When resolution 770 (1992) was adopted by the Security Council, I made a statement in explanation of our vote at that time. My colleagues will recall that the Indian delegation could not support that resolution, for reasons which I mentioned then. It was very much our hope that on this occasion we would be in a position to vote in favour of the draft resolution, because we do want totally and unconditionally to support the Secretary-General's report and all the actions that he has recommended in it.

(Mr. Gharekhan, India)

To our great regret, however, the sponsors have introduced certain elements - especially one element in operative paragraph 2 - that make it impossible for my delegation to vote in favour of the draft resolution. We tried very hard with the sponsors to have that reference deleted. I must say that the sponsors showed a lot of willingness to discuss the matter constructively with us, but they had their own compulsions, so we were told, and they could not accommodate my delegation's point of view.

In fact, the Secretary-General's report is a brilliant one, because it takes us away from the complications created by resolution 770 (1992). The report by itself would make it possible for all of us in the Council to support the action recommended by the Secretary-General. I would also like to congratulate the Secretary-General on his innovative approach as far as the financing of the operations is concerned. Certainly, none of us should complain if the additional tasks to be entrusted to the United Nations Protection Force under this resolution would be implemented at no cost to the Organization. I do hope that the countries that have so generously offered to finance the additional operation will continue to do so for as long as it takes and also that they will come forth with similar generous offers, perhaps for some other situations in the world.

As I explained to the sponsors, my delegation would have been in a position to support a straightforward resolution implementing the Secretary-General's recommendations, even under Chapter VII of the Charter. It would have been, in my delegation's view, more appropriate to do so in a straightforward manner and have the whole resolution under Chapter VII. Then it would satisfy the one concern that my delegation has consistently maintained: that whatever the Council does should be in strict conformity with the provisions of the Charter.

(Mr. Gharekhan, India)

Now, with the introduction of the reference to the implementation of paragraph 2 of resolution 770 (1992) in operative paragraph 2 of this draft resolution, the whole purpose and objective of the Secretary-General's report, in my delegation's view, is somewhat distorted. Therefore, it is with great sadness and considerable anguish and distress that my delegation finds itself in the position of not being able to vote in favour of this draft resolution. But there should be no doubt in anybody's mind that we fully support the Secretary-General's report, and that we would have dearly wished to be in a position to be able to vote in favour of the draft resolution. We feel and are convinced that the international community must take energetic and effective action to bring humanitarian assistance to all those who are in need in all corners of Bosnia and Herzegovina.

The PRESIDENT (interpretation from Spanish): I thank the representative of India for his kind words addressed to me.

I now put the draft resolution (S/24554) to the vote.

A vote was taken by show of hands.

In favour: Austria, Belgium, Cape Verde, Ecuador, France, Hungary, Japan, Morocco, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

Against: None

Abstaining: China, India, Zimbabwe

The PRESIDENT (interpretation from Spanish): The result of the voting is as follows: 12 in favour, none against, and 3 abstentions. The draft resolution has been adopted as resolution 776 (1992).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. LI Daoyu (China) (interpretation from Chinese): First of all, allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I believe that, under your able guidance, the work of Security Council will be crowned with success this month.

Recently, the international community has made positive efforts to find a political solution to the crisis in the former Yugoslavia and particularly to the conflict in Bosnia and Herzegovina. The international conference on the former Yugoslavia adopted a number of positions and agreements on this issue. The Chinese Government has always favoured and supported the peaceful settlement of the crisis. Historical experience has shown that war can hardly solve anything, be it ethnic conflict or inter-State dispute.

We believe that only through dialogue and negotiation will it be possible to find a truly lasting and reasonable solution to the crisis in the former Yugoslavia, including the conflict in Bosnia and Herzegovina. The use of force in any form will only complicate the situation, sharpen differences, intensify hatreds, and make it more difficult to solve the problem. We strongly urge the parties concerned in Bosnia and Herzegovina to take advantage of the present favourable situation to reach a complete cease-fire immediately and to try to find negotiated solutions to all their differences and disputes through various means of dialogue, including international conferences. We also hope that all international efforts will contribute towards achieving this objective.

(Mr. Li Daoyu, China)

The Chinese Government and people are deeply concerned, and they feel profound sorrow over the huge loss of life and property and the large-scale displacement of persons caused by the bloody conflicts in Bosnia and Herzegovina. We support international humanitarian assistance to people of all ethnic groups in war-ravaged Bosnia and Herzegovina in an effort to ease their suffering. We particularly appreciate the valuable efforts undertaken by international humanitarian organizations and UNPROFOR in this regard. We appreciate and welcome the report submitted by the Secretary-General on this issue.

The resolution just adopted by the Security Council aims at enlarging the mandate of UNPROFOR in an effort to provide military support for the delivery of humanitarian assistance to Bosnia and Herzegovina. In principle, the Chinese delegation does not object to the strengthening of humanitarian-assistance activities, but the resolution at issue established a link between the enlargement of the mandate of UNPROFOR and the implementation of Security Council resolution 770 (1992). This is something we cannot accept. It is a well-known fact that the Chinese delegation abstained in the vote on resolution 770 (1992), which authorizes countries to use force in Bosnia and Herzegovina. Therefore, we cannot endorse any actions related to the implementation of this resolution. At the same time, we believe that UNPROFOR should, as a United Nations peace-keeping operation, follow the generally recognized guidelines established in past United Nations peace-keeping operations in implementing its mandate.

However, in this resolution, which provides for the new mandate of UNPROFOR, there are disturbing elements which depart from these guidelines. It must be noted that Security Council resolution 770 (1992) is a mandatory

(Mr. Li Daoyu, China)

action taken under Chapter VII of the United Nations Charter. We are concerned that linking this resolution with resolution 770 (1992) will change the non-mandatory nature of UNPROFOR as the United Nations peace-keeping operation. On the one hand, this resolution recognizes that UNPROFOR should observe the normal rules of engagement of United Nations peace-keeping operations in implementing its new mandate, namely to use force only in self-defence. On the other hand, the resolution approves the use of force in self-defence when troops are blocked by armed forces. We are concerned that UNPROFOR will run the risk of plunging into armed conflict.

It must also be noted that enlarging the mandate of UNPROFOR has not received the express consent of the parties concerned in Bosnia and Herzegovina, and that the resolution does not provide for any periodic reports to the Council on the implementation of UNPROFOR's mandate. In view of the above, and given China's principled position on Security Council resolution 770 (1992) and on United Nations peace-keeping operations, the Chinese delegation abstained in the vote on Security Council resolution 776 (1992), just adopted.

The PRESIDENT (interpretation from Spanish): I thank the representative of China for the kind words that he addressed to me.

Mr. MERIMEE (France) (interpretation from French): My delegation would like to join in the congratulations conveyed to you, Sir, on your assumption of the presidency, as well as in the expressions of gratitude to the Ambassador of China.

In adopting on 13 August last resolution 770 (1992), the Security Council defined the basis for resolute intervention by the international community to enable, by ensuring the safety of the convoys, the delivery of humanitarian aid to Bosnia and Herzegovina. We welcome the fact that

(Mr. MÉRIMÉE, France)

following the adoption of that resolution, and of consultations among the sponsors of this text and the Secretary-General, the latter should have put before our Council recommendations that are fully in keeping with our goals.

France unreservedly supports these recommendations, and that is why we supported the draft resolution to approve them. As we have already stated, along with other States members of the Western European Union, it is ready to provide a major contribution in troops and materials to implement the new mission that the Council has just entrusted to UNPROFOR.

But our action cannot be limited to that. The Government of France believes that the decision that we have just taken is but a stage - though a very important one - in the necessary stepping up of the United Nations action in Bosnia and Herzegovina. Other basic issues, such as the supervision of heavy weapons and air measures, both of which were the subject of an agreement among the participants in the London conference, seem to us to require urgent decisions by the Security Council.

In this respect, my delegation welcomes the fact that the report (S/24540) of the Secretary-General mentions in paragraph 12 the possibility of supervision by UNPROFOR of the implementation of the agreements covering heavy weapons. France deems it necessary that such a mission be entrusted to the United Nations and is prepared to associate itself with a draft resolution to that effect. We also believe that the Council should as soon as possible take a decision, in keeping with the London Agreements, to adopt a resolution on air measures, including the possibility of reconnaissance flights.

In conclusion, I wish to reiterate that cooperation of the parties to the conflict is essential to the success of our efforts. In particular, my delegation reiterates its appeal for full respect for the safety of all

(Mr. Mériemée, France)

persons participating, in such difficult circumstances, in the action undertaken to relieve the suffering of Bosnia and Herzegovina and its people.

The PRESIDENT (interpretation from Spanish): I thank the representative of France for the kind words he addressed to me.

Mr. HAJNOCZI (Austria): Let me start by congratulating you, Sir, on your assumption of the presidency. As we have already seen this month, the work of the Council benefits from your experienced leadership. My appreciation goes also to Ambassador Li Daoyu of China for the wise guidance he offered in presiding over the work of the Council last month.

Austria voted in favour of resolution 776 (1992), which considerably enlarges the mandate and the scope of UNPROFOR in Bosnia and Herzegovina. Austria commends those countries that have indicated their intention to provide troops and materials. The humanitarian situation in Bosnia and Herzegovina is most pressing. It is bound to further deteriorate, especially with the coming of winter, which happens very early in this mountainous country. Therefore we see the utmost urgency for the implementation of this resolution.

We note that the financial arrangements are extraordinary, as are the conditions prevailing in Bosnia and Herzegovina. In our view, this unique way of financing does not therefore constitute a precedent for new peace-keeping operations. Austria, a country that is in the forefront of providing humanitarian assistance to Bosnia and Herzegovina, certainly welcomes the steps that will now be taken to facilitate the delivery of humanitarian assistance. As the withholding of food and essential humanitarian goods is a central element in the policy of "ethnic cleansing" against the non-Serbian population, there can be no doubt of the need for armed protection of the

(Mr. Hajnoczi, Austria)

relevant convoys. Likewise, we welcome the fact that the mandate now includes providing protection to convoys of released detainees. While we understand that many of those who are subject to inhuman treatment in the camps will now wish to be brought abroad, we underline what was stated in the programme of action on humanitarian issues of the London Conference: that it is a primary objective to secure their release and return to their homes.

(Mr. Hajnoczi, Austria)

Thus we also see a need for protection for those released persons who of their own free will want to stay in Bosnia and Herzegovina. There can be no doubt that the Security Council will be called upon to adopt additional, concrete measures very soon in order to bring about the accomplishment of the commitments flowing from the documents of the London Conference.

Austria firmly hopes that a ban on military flights over Bosnia and Herzegovina can be adopted in the days to come. This measure would also increase the security of humanitarian assistance activities. Austria is deeply concerned about the non-compliance of the Serbian forces in Bosnia and Herzegovina with the commitment given in London by their leaders regarding the supervision of their heavy weapons by UNPROFOR. The international community will certainly have to act to bring about compliance in order to advance the process begun in London. My delegation would have preferred the present resolution to contain language on this crucial matter, all the more so as the report of the Secretary-General (S24540) addresses this issue.

Let me, furthermore, mention that the documents of the London Conference also envisage a tightening of the sanctions against Serbia and Montenegro, a task that will require action by the Council.

Finally, the next step of the Council should, in our view, be a recommendation to the General Assembly ending the incumbency of the United Nations seat of the former Socialist Federal Republic of Yugoslavia by Serbia and Montenegro.

The PRESIDENT (interpretation from Spanish): I thank the representative of Austria for his kind words addressed to me.

Mr. ERDOS (Hungary) (interpretation from French): Our delegation adds its voice to those of our other colleagues to convey to your predecessor, Mr. Li Daoyu of China, and to yourself, Mr. President, our thanks for having conducted the work of the Council so skilfully and successfully.

My delegation voted in favour of the resolution that the Council has just adopted. We were motivated to do so by the same desire as we have felt since the beginning of the crisis in former Yugoslavia: the desire to contribute to the effectiveness of United Nations and international actions in the republics of the former federation. We therefore welcome the fact that the mandate and the strength of the United Nations Protection Force (UNPROFOR) in Bosnia and Herzegovina have been expanded so that that peace-keeping force can discharge the difficult functions referred to in the Secretary-General's report (S/24540).

A long humanitarian road lies ahead before the situation of the civilian population in Bosnia and Herzegovina is normalized. We will need patience, perseverance and tenacity, and we are happy to note that the necessary funding to support the execution of the humanitarian tasks, under the direction of the world Organization, will be available, thanks to the offers made to the United Nations by several States. We nevertheless believe that our Organization should, as soon as possible, find itself in an adequate material situation in order to enable it to support the peace-keeping operations, which continue to proliferate throughout the world.

We wish to emphasize the importance of the Council's decision to consider additional measures to ensure the success of the UNPROFOR operation. We are confident that the Council will be equal to the task by facilitating and contributing to the implementation of the specific agreements concluded at the London Conference.

The PRESIDENT (interpretation from Spanish): I thank the representative of Hungary for his kind words addressed to me.

Mr. PERKINS (United States of America): My delegation also joins those who have expressed congratulations to you, Mr. President, on your assumption of the presidency of the Council for the month of September, and expresses both thanks and congratulations to Ambassador Li Daoyu for his skilful stewardship during the month of August.

The United States welcomes the adoption of a new Security Council resolution today. In the face of immense difficulties, the United Nations Protection Force (UNPROFOR) has struggled to help the cause of peace in Bosnia. This resolution provides UNPROFOR with the tools it needs to further its difficult mission in Bosnia and Herzegovina. The United States also notes that in paragraph 12 of his report of 10 September (S/24540), the Secretary-General stated that UNPROFOR could undertake the monitoring of heavy weapons in Bosnia if so instructed by the Council. We feel strongly that the Council should stand ready to act immediately upon the detailed instructions of the Secretary-General when he decides that it is time for UNPROFOR to assume this additional responsibility.

The PRESIDENT (interpretation from Spanish): I thank the representative of the United States for his kind words addressed to me.

Mr. NOTERDAEME (Belgium) (interpretation from French): Firstly, Mr. President, on behalf of my delegation and as other delegations have done I should like to congratulate you very sincerely on your assumption of the presidency of the Security Council. We have full trust in your way of conducting our business, and you can count on the full cooperation of my delegation. I should also like to take this opportunity to tell

(Mr. Noterdaeme, Belgium)

Ambassador Li Daoyu that were are very grateful to him for the way in which he conducted the business of the Council last month.

My delegation voted in favour of this resolution for a very simple reason: developments on the ground show that military protection for humanitarian convoys in Bosnia has become absolutely essential. Furthermore, the parties to the conflict have recognized this fact themselves at the London Conference, and they have agreed on the need for military protection of humanitarian assistance.

Having said that, we believe that this is merely a stage: the Council decided, in operative paragraph 4 of the resolution, to remain actively seized of the matter and to consider, as required, what further steps might be necessary to ensure the safety of the United Nations Protection Force (UNPROFOR) and to enable it to fulfil its mandate. We are thinking of two measures to which the Council should give thought in the very near future: firstly, there is, in our opinion, a need to ban military flights over Bosnia territory - and I must just point out that the parties to the London Conference have undertaken to implement just such a cessation of military flights. I think that the Council will have to take steps in this direction very shortly. Secondly, we believe - and this is already clear from the report of the Secretary-General (S/24540) - that it will be essential for UNPROFOR to take steps at the appropriate time to supervise the heavy weaponry of the parties to the conflict very closely.

The PRESIDENT (interpretation from Spanish): I thank the representative of Belgium for his kind words addressed to me.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 9 p.m.